

The Honorable Robert S. Lasnik

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

OLYMPIC FOREST COALITION, a Washington  
non-profit corporation,

Plaintiff,

v.

COAST SEAFOODS COMPANY, a Washington  
corporation,

Defendant.

Case No. 3:16-cv-05068-RSL

ORDER GRANTING STIPULATED  
MOTION REGARDING DISCOVERY  
PRODUCTION, STANDING,  
PARTIAL LIABILITY, AND  
PARTIAL RELIEF

The Court hereby GRANTS the Parties' August 10, 2022 stipulated motion (Dkt.  
#115). Based on the Parties' stipulations, the Court hereby rules as follows:

1. Within five (5) days of entry of this Order, Coast Seafoods Company shall produce to Olympic Forest Coalition 2018-2021 financial records for Pacific Shellfish – Quilcene, LLC;
2. Olympic Forest Coalition has standing to bring its claims for relief in this matter;
3. Prior to the Ninth Circuit's decision in this case, the Washington State Department of Ecology ("Ecology") had determined a National Pollutant Discharge

1 Elimination System (“NPDES”) permit was not required under the Clean Water  
2 Act for the Facility;

3 4. After issuance of the Ninth Circuit’s mandate in this case, Coast Seafoods Com-  
4 pany applied to Ecology for an NPDES permit for discharges of pollutants from  
5 the Facility;

6  
7 5. Defendant Coast Seafoods Company is liable for Clean Water Act violations be-  
8 cause it has violated Section 301(a) of the Clean Water Act, 33 U.S.C. § 1311(a),  
9 every day since November 28, 2010 by discharging pollutants from point sources  
10 at the facility at issue in this case, which is located at or near 1601 Linger Longer  
11 Road, Quilcene, Washington 98376, to waters of the United States without au-  
12 thorization of National Pollutant Discharge Elimination System permit; and

13  
14 6. The relief afforded herein shall not prohibit or prevent Olympic Forest Coalition  
15 from seeking any other available relief.

16 IT IS SO ORDERED.

17 IT IS FURTHER ORDERED that Coast Seafoods Company’s liability having been es-  
18 tablished, the Court will treat Olympic Forest Coalition’s pending motion for partial summary  
19 judgment on standing and liability (Dkt. #70) as withdrawn.

20  
21 IT IS FURTHER ORDERED that Coast Seafoods Company shall make all reasonable  
22 efforts to obtain a National Pollutant Discharge Elimination System permit authorizing dis-  
23 charges of pollutants from the facility at issue in this case.

24 Dated this 23rd day of August, 2022.

25 

26 \_\_\_\_\_  
27 The Honorable Robert S. Lasnik  
28 United States District Judge

**Presented by:**

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